

September 10, 2021

**Via ECF**

Honorable Lorna G. Schofield  
U.S. District Court  
Southern District of New York  
Thurgood Marshall Courthouse  
40 Foley Square  
New York, NY 10007

Re: *In re Foreign Exchange Benchmark Rates Antitrust Litigation*  
Case No. 1:13-cv-07789-LGS

Dear Judge Schofield:

Pursuant to the Seventh Amended Civil Case Management Plan and Scheduling Order entered in this action (ECF No. 1454), Plaintiffs and Credit Suisse Securities (USA) LLC, Credit Suisse Group AG, and Credit Suisse AG (“Credit Suisse”) submit this joint status letter.

**I. Motions**

After reaching agreement on the scope of redactions, and in accordance with the Court’s Orders regarding the same (ECF Nos. 1592, 1595), the parties filed their cross-motions for summary judgment in unredacted form with the Court on May 20, 2021 (ECF No. 1594) and redacted form on the public docket on June 4, 2021 (ECF Nos. 1596-1606). As a result, briefing on, and filing of, the parties’ summary judgment motions is complete.

**II. Discovery**

**A. Depositions**

Depositions of fact witnesses have concluded. In total, Credit Suisse took 27 depositions of the Plaintiffs and/or their investment advisors. Plaintiffs took 55 fact depositions and eight Rule 30(b)(6) depositions of Defendants, including Credit Suisse. Of the 55 fact depositions taken by Plaintiffs, 26 witnesses invoked the Fifth Amendment protection against self-incrimination.

**B. Remaining Deadlines**

There are no other remaining discovery deadlines.

**III. Litigation Class Notice**

In accordance with the Court’s Order Approving the Form and Manner of Notice of the Certified Litigation Class (ECF No. 1546), Plaintiffs disseminated notice to potential Class Members that have been identified in the records maintained by the Claims Administrator. The general request-for-exclusion deadline of February 17, 2021 has passed. For a small subset of Class Members which were mailed notices directly by UBS after January 26, 2021, the request-for-exclusion deadline of April 27, 2021 has also passed. ECF No. 1557. Due to delays in the mail system, including delays occurring outside the United States, the Claims Administrator received both timely and untimely requests for exclusion. Class Counsel and Credit Suisse are

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meeting and conferring regarding the requests for exclusion. When the discussions conclude, Class Counsel will file papers regarding the requests for exclusion.

**IV. Next Joint Status Letter**

The parties will submit their next joint status letter on Friday, November 12, 2021.

Respectfully submitted,

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